

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON,
AT SEATTLE

PHILADELPHIA INDEMNITY
INSURANCE COMPANY,

Plaintiff,

vs.

SEATTLE DRUG AND NARCOTIC
CENTER, INC.; ASPEN INSURANCE U.K.
LIMITED; and M.H., as guardian for her
minor daughter, J.M.A.

Defendants.

Cause No. 2:18-cv 00664 MJP

**STIPULATED MOTION AND ORDER
STAYING MATTER FOR 30 DAYS**

Noted for Hearing: August 6, 2018

STIPULATION AND AGREED MOTION

Pursuant to LCR 7(d)(1) and LCR 10(g), Plaintiff Philadelphia Indemnity Insurance Company (“Philadelphia”) and Defendants Seattle Drug and Narcotic Center, Inc. (“SeaDruNar”) and Aspen Insurance U.K. Limited (“Aspen”) (collectively, the “Parties”), by and through their undersigned counsel, hereby move on an agreed basis for an order staying this matter for at least thirty (30) days while settlement is finalized in the matter of *M.H., as guardian for her minor daughter, J.M.A. v. SEADRUNAR, Inc.*, King County Superior Court Cause No.

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1 17-2-25848-2SEA (“Underlying Lawsuit”) and move further that any corresponding deadlines
2 in this matter be recalculated accordingly. In the event the court in the Underlying Lawsuit does
3 not approve the settlement within 30 days, the Parties may request an additional stay.

4 In support of this Stipulated Motion, the Parties jointly state as follows:

- 5 1. Philadelphia commenced this civil action on May 7, 2018 by filing its Complaint
6 for Declaratory Relief (ECF No. 1).
- 7 2. SeaDruNar has been served (ECF No. 14), filed a Notice of Appearance on June
8 13, 2018 (ECF No. 10), and filed an Answer and Counterclaim on June 29, 2018
9 (ECF No. 19).
- 10 3. Philadelphia filed an Answer to SeaDruNar’s Counterclaim on July 17, 2018
11 (ECF No. 28).
- 12 4. Aspen has been served (ECF 13), filed a Notice of Appearance on June 11, 2018
13 (ECF No. 9), and filed an Answer and Counterclaim on June 29, 2018 (ECF No.
14 20).
- 15 5. Defendant M.H., as guardian for her minor daughter, J.M.A. has been served
16 (ECF No. 12), and an Order for Default was entered against Defendant M.H., as
17 guardian for her minor daughter, J.M.A. on July 3, 2018 (ECF No. 24).
- 18 6. A settlement has been reached in the Underlying Lawsuit. The settlement must be
19 reviewed and approved by a settlement guardian ad litem and then the underlying
20 Court, before it is final. The Parties are now waiting for the completion of this
21 process.
- 22 7. The Parties request a 30 day stay so as to allow the parties and the court to avoid
23 potentially unnecessary case activity, including the Joint Status Report and

Discovery Plan, while it is determined if the underlying settlement will be approved.

8. If it appears the Underlying Lawsuit will not conclude before the 30th day after a stay is entered, then the Parties agree to provide a joint status report to the Court regarding whether they believe it would be appropriate to stay this action for an additional period.

DATED this 6th day of August, 2018.

SOHA & LANG, P.S.

FORSBERG & UMLAUF, P.S.

By: s/Paul M. Rosner

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Attorneys for Defendant SeaDruNar

1 **ORDER**

2 THIS MATTER came before the Court on the Parties' Stipulated Motion Staying Matter
3 for 30 Days. The Court, having considered the Motion, the files and records herein, the nature
4 of the Motion, and being fully informed, finds that a stay of this matter for thirty (30) days is
5 appropriate.

6 As such, the Court GRANTS the Stipulated Motion Staying this Matter for 30 Days as
7 follows:

- 8 1. This matter is stayed for 30 days;
- 9 2. If it appears Underlying Lawsuit will not conclude before the 30th day after a stay
10 is entered, then the Parties will submit a joint status report to the Court within 30
11 days from the date of entry of this order regarding whether the stay should be
12 continued;
- 13 3. Upon expiration of the stay, the Court will issue an amended case schedule
14 extending all deadlines by 30 days; and
- 15 4. Any of the Parties may move to lift the stay prior to its expiration.

16 DATED this _7th_ day of August, 2018

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20 The Honorable Marsha J. Pechman
21 United States Senior District Court Judge
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Submitted by:

SOHA & LANG, P.S.

By: s/Paul M. Rosner

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Approved as to Form
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